

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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GLORIA MARIGNY,

Case No. 18-cv-1386-pp

Plaintiff,

v.

CENTENE MANAGEMENT COMPANY LLC,

Defendant.

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**ORDER GRANTING PLAINTIFF'S MOTION TO AMEND THE COMPLAINT  
(DKT. NO. 26), REQUIRING THE PLAINTIFF TO FILE AN AMENDED  
COMPLAINT BY A DATE CERTAIN AND DENYING PLAINTIFF'S MOTION TO  
EXTEND TIME REGARDING INTERROGATORIES (DKT. NO. 27)**

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Gloria Marigny, who is representing herself, filed a complaint on September 7, 2018, alleging that she was subject to employment discrimination based on her race and age and in retaliation for a prior charge of discrimination against another employer. Dkt. No. 1. At the March 20, 2019 Rule 16 scheduling conference, the court ordered that parties could amend their pleadings without the court's permission if they did so before April 30, 2019. Dkt. No. 23. On April 2, 2019—well before the April 30, 2019 deadline the court had set—the plaintiff filed a motion to amend the complaint. Dkt. No. 26. A little more than a month later, the plaintiff filed a one-sentence motion asking for an extension of time to “provide” interrogatories. Dkt. No. 27.

A party may amend her pleading once as a matter of course within twenty-one days after serving it, unless the court orders otherwise. Federal

Rule of Civil Procedure 15(a)(1). Here, the court ordered that the parties could amend without asking the court's permission if they did so by April 30, 2019. Dkt. No. 23. The plaintiff did not need to ask the court's permission to amend her complaint to add a wrongful termination claim. She needed only to file a proposed amended complaint. But because she did ask, the court will grant the plaintiff's motion, and will require her to file her amended complaint by the deadline the court sets below.

The plaintiff must use the court's form for filing the amended complaint (as she did for her original complaint). She must write the word "Amended" at the top of the first page, to the left of the word "Complaint." She must put the case number for this case—18-cv-1386—in the line for the case number. The court advises the plaintiff that an amended complaint takes the places of the original complaint. That means that the plaintiff must repeat all the claims she made in her original complaint in the amended one, as well as adding any new claims and any new defendants.

The plaintiff's other motion asks for an extension to provide interrogatories. Dkt. No. 27. It is not clear whether the plaintiff wants additional time to serve interrogatories on the defendant, or to respond to interrogatories the defendant has served on her. Rule 33 of the Federal Rules of Civil Procedure says that a person who receives discovery requests (such as interrogatories) must provide responses within thirty days after being served with the interrogatories. Fed. R. Civ. P. 33(b)(2). The court has ordered that the parties must complete discovery by October 31, 2019. Dkt. No. 23. If the

plaintiff wants more time to *serve* interrogatories on the defendant, she has sufficient time before the October 31, 2019 deadline to do so. If she serves her interrogatories by September 30, 2019, she will be in compliance with the court's deadline. If the plaintiff wants more time to *respond* to interrogatories that the defendant has served on her, she should contact the defendant's lawyer and ask for an extension, explaining why she needs more time. If the defendant's lawyer will not agree to give the plaintiff more time, she may file another motion asking the court for help.

The court **GRANTS** the plaintiff's motion to amend the complaint. Dkt. No. 26.

The court **ORDERS** that the plaintiff must file her amended complaint in time for the court to receive it on or before **Friday, August 30, 2019**.

The court **DENIES AS UNNECESSARY** the plaintiff's motion for an extension of time to provide interrogatories. Dkt. No. 27.

Dated in Milwaukee, Wisconsin this 22nd day of July, 2019.

**BY THE COURT:**

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

**HON. PAMELA PEPPER**  
**United States District Judge**